REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1 and 5-9 are currently pending. Claims 1, 5, 7, and 8 are amended; Claims 2-4 are cancelled by the present amendment; and Claim 9 is newly added.

Support for changes to Claims 1 and 8 is found in the specification at least at page 9, lines 9-25, Figure 2, and original Claims 2-4. The remaining changes to the claims address minor informalities. Support for new Claim 9 is found in the specification at least at page 9, lines 9-25 and Figure 2. Thus, no new matter is added.

The outstanding Official Action rejected Claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,583,857 to Soumiya et al. (hereinafter Soumiya); and rejected Claims 4-8 under 35 U.S.C. § 103(a) as unpatentable over Soumiya in view of U.S. Patent No. 6,532,227 to Murasawa.

Applicants respectfully traverse the rejections of the claims under 35 U.S.C. § 102(b) and § 103 with respect to independent Claims 1 and 8.

Claim 1 is directed to a call-admission controller which allocates, out of shared resources in a communications system, resources required for communication in a plurality of calls of different priorities. The controller includes, in part, a call-admission threshold-value varying unit configured to adjust a call-admission threshold-value for the low priority call based on an estimate of an impact of a low-priority call on the communications system. The controller further includes a low-priority call admission-determining unit configured to make, based on the adjusted threshold-value, a determination of whether to admit the low-priority call.

Turning now to the applied reference, Figure 1 of Soumiya illustrates a connection admission control apparatus having an average peak cell rate comparator 11, a traffic class

judging portion 12, a required bandwidth calculator 13, estimated bandwidth calculators 16 and 17, and an admission judging portion 18. Soumiya describes that the average peak cell rate comparator 11 judges that a call requesting admission has a variable-speed traffic property when an average cell rate (Ra) and a peak cell rate (Rp) are different. The traffic class judging portion 12 of Soumiya determines the traffic class to which the call belongs on the basis of the peak cell rate (Rp). The required bandwidth calculator 13 of Soumiya estimates the bandwidth for guaranteeing the quality of the call on the basis of the sum of (1) the average cell rate of the call requesting admission and (2) the average cell rates of all the calls that belong to the traffic class to which the call requesting admission belongs and that are already allocated to a transmission line.[1]

The estimated bandwidth calculator 16 of Soumiya calculates the estimated total bandwidth V for all the traffic classes for calls having a variable-speed traffic property. The estimated bandwidth calculator 17 of Soumiya calculates an estimated bandwidth VX for all calls having a fixed-speed traffic property and allocated to the transmission line, where X is the sum of the bandwidth of the calls having a constant bit rate and already allotted to the transmission line. The call admission judging portion 18 of Soumiya judges whether or not the sum of the estimated bandwidth VX and the total estimated bandwidth V for all the calls having a variable-speed traffic property is smaller than the physical bandwidth Z, and if the answer is in the affirmative, the call admission judging portion 18 accepts the call.[2]

In other words, Soumiya describes using the physical bandwidth Z as a criteria for determining whether to admit a call. That is, if the estimated bandwidth VX and total estimated bandwidth V is less than the physical bandwidth Z, the call admission judging portion 18 accepts the call. However, Soumiya fails to disclose or suggest that the criteria of

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[1] See Soumiya at column 9, lines 45-57.
[2] See Soumiya at column 9, lines 58-67 and column 17, lines 25-28.

the physical bandwidth Z is a threshold that is adjusted based on an estimated impact of a low priority call.

Therefore, since the physical bandwidth Z is not adjusted, <u>Soumiya</u> fails to disclose or suggest "a call-admission threshold-value varying unit configured to adjust a call-admission threshold-value for the low-priority call based on the estimate of said impact," as recited in Claim 1.

Furthermore, Applicants traverse the assertion of the outstanding Official Action that column 23, lines 21-27 of <u>Soumiya</u> discloses that feature.[3] That cited portion of <u>Soumiya</u> is directed to Claim 2 of <u>Soumiya</u> reciting:

> a first sub-step of registering the required bandwidth which satisfies the required cell loss ratio for each traffic class in a table in advance in correspondence with the sum of the average cell rates; and
> a second sub-step of obtaining said required bandwidth as an estimated bandwidth from said table.

Accordingly, Claim 2 of <u>Soumiya</u> describes pre-loading a table with a bandwidth which satisfies a required cell loss ratio and retrieving the bandwidth from the table as an estimated bandwidth. However, as noted above, <u>Soumiya</u> does not teach or suggest adjusting a threshold. Thus, <u>Soumiya</u> fails to disclose or suggest "a call-admission threshold-value varying unit configured to adjust a call-admission threshold-value for the low-priority call based on the estimate of said impact," as recited in Claim 1.

Additionally, since <u>Soumiya</u> indicates that the call admission judging portion 18 decides to admit a call based on a comparison of each of the estimated bandwidth VX and total estimated bandwidth V with the physical bandwidth Z, <u>Soumiya</u> fails to disclose or suggest "a low-priority call admission-determining unit configured to make, based on said adjusted threshold value, a determination of whether to admit said low-priority call."

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[3] See Official Action of November 10, 2007 at page 2.

In addition, as <u>Soumiya</u> fails to describe any adjusting of the criteria of the physical bandwidth Z, <u>Soumiya</u> also fails to disclose or suggest "adjusting a call-admission threshold value for the low-priority call based on the estimate of said impact," as recited in Claim 8.

Accordingly, Applicants submit that <u>Soumiya</u> fails to disclose or suggest all the features of Claims 1 and 8. Therefore, Applicants submit that independent Claims 1 and 8 patentably define over <u>Soumiya</u>.

Thus, Applicants respectfully request that the rejection of Claims 1-3 under 35 U.S.C. § 102(b) be withdrawn.

The outstanding Official Action rejected Claims 4-8 under 35 U.S.C. § 103(a) as unpatentable over <u>Soumiya</u> and <u>Murasawa</u>.

As discussed above, Claims 1 and 8 are believed to patentably define over <u>Soumiya</u>. Applicants have considered <u>Murasawa</u> and submit that <u>Murasawa</u> fails to cure the deficiencies of <u>Soumiya</u>. Accordingly, Applicants submit that <u>Soumiya</u> and <u>Murasawa</u> fail to disclose or suggest all the features of Claims 4-8.

Thus, Applicants respectfully request that the rejection of Claims 4-8 under 35 U.S.C. § 103(a) also be withdrawn.

New Claim 9 is directed to a call-admission controller. The call-admission controller includes, in part, that a call-admission threshold-value for the low-priority call, when an impact of the low priority call on a communications system does not exceed a predetermined threshold value, is set higher compared to when said impact exceeds the predetermined threshold value.

Applicants submit that these more detailed claimed advancements are not shown in the applied references.

Accordingly, Applicants submit that Claims 1, 8, and 9, and claims depending therefrom, are allowable.

Consequently, in view of the above response and present amendment, no further

issues are believed to be outstanding in the present application, and the present application is

believed to be in condition for formal allowance. A Notice of Allowance is therefore

earnestly solicited.

Respectfully submitted,

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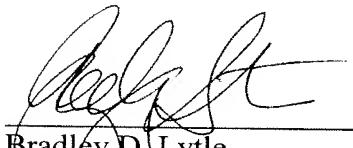
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